

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES STEEL CORPORATION,  
NIPPON STEEL CORPORATION, and  
NIPPON STEEL NORTH AMERICA, INC.,

Plaintiffs

vs.

CLEVELAND-CLIFFS INC., LOURENCO  
GONCALVES, and DAVID McCALL,

Defendants.

Civil Action No. 2:25-cv-15

Hon. Marilyn J. Horan

**MOTION TO DISMISS COUNTS 1, 4, 8, & 9 AND FOR  
AN AWARD OF ATTORNEY FEES, COURT COSTS, AND LITIGATION EXPENSES**

Defendants Cleveland-Cliffs Inc. and Lourenco Goncalves, by and through their undersigned counsel, in accordance with this Honorable Court's January 17, 2025 Order (Dkt. 74), and for the reasons set forth in the accompanying Brief in Support of this Motion, hereby move to dismiss counts 1, 4, 8, & 9 of Plaintiffs' Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), and additionally move for an award of attorney fees, court costs, and litigation expenses pursuant to the Pennsylvania Uniform Public Expression Protection Act, 42 Pa.C.S.A. § 8340.11 *et seq.*

A proposed order is attached hereto.

Dated: February 4, 2025

Respectfully submitted,

By: /s/ William Pietragallo, II

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**CERTIFICATE OF CONFERRAL**

Pursuant to § 1(g) of this Court's Standing Order and Procedures on Civil Motion Practice, I hereby certify that on and after January 17, 2025, counsel for Defendants and counsel for Plaintiffs met and conferred regarding the subject matter of the foregoing motion. Counsel for the parties were unable to reach a resolution.

Dated: February 4, 2025

Respectfully submitted,

By: /s/ William Pietragallo, II

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